

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. § 1.111, and in light of the remarks which follow, are respectfully requested.

By the above amendments, claim 1 has been amended to incorporate the subject matter of claim 2 and to further recite that B is a divalent aromatic heterocyclic group directly bonded to the azo-nitrogen atoms. These amendments are supported by the specification, at least at page 19, 2nd full paragraph and examples. Claims 2 and 11 have been canceled without prejudice or disclaimer. Claim 3 has been amended to change its dependency to claim 1 in view of the cancellation of claim 2.

Upon entry of the Amendment, claims 1, 3-10 and 12-16 will be all the claims pending in the application.

I. Response to Rejections under 35 U.S.C. § 103(a)

a. Claims 1-16 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,500,247 to Lehmann et al.

b. Claims 1-16 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent Application Publication No. 2004/0089198 to Millard et al.

Applicants respectfully submit that the present claims as amended are patentable over the cited references for at least the following reasons.

Present claim 1 relates to a coloring composition comprising a dis-azo compound or poly-azo compound which contains two or more substituents having a pKa value in water of -10 to 5 and which has an oxidation potential more positive than 0.8 V (vs SCE), wherein the

dis-azo compound or poly-azo compound is an azo compound represented by the following general formula (I):



wherein A, B, and C each independently represents an aromatic group which may be substituted or a heterocyclic group which may be substituted, A and C are monovalent groups and B is a divalent aromatic heterocyclic group directly bonded to the azo-nitrogen atoms.

The presently claimed composition can provide improved resistance to ozone, by employing an azo compound where a divalent aromatic heterocyclic ring is directly bonded to the azo-nitrogen atoms, thereby maximizing the electron attractive effect and increasing the oxidation potential.

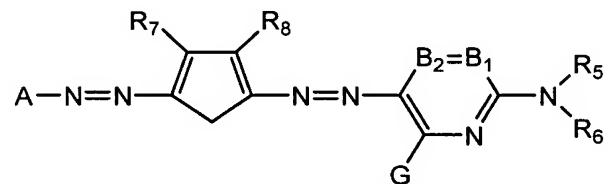
In contrast, Lehmann et al. and Millard et al. describe azo compounds where the azo bond is directly connected to an aryl ring or the like but not a heterocyclic ring. Further, when these azo compounds are employed in a coloring composition, the effect of improving resistance to ozone is inferior to a composition as recited in the present claims.

Moreover, neither Lehmann et al. nor Millard et al. disclose the oxidation potentials of the azo compounds therein or suggest adjusting the oxidation potential to a specific range as recited in the present claims.

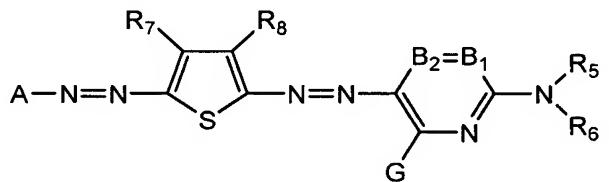
In view of the foregoing, Applicants respectfully submit that the present claims are not obvious over Lehmann et al. and Millard et al., and thus the rejections should be withdrawn.

II. Patent Application Publication No. 2005/0243151 A1

Applicants wish to point out an error in Publication No. 2005/0243151 A1 of the present application. Specifically, in paragraph [0027], the formula IV



should read



as shown at page 8, 2nd paragraph in the specification of the present application.

III. Conclusion

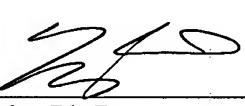
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (202) 452-7932 at his earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:


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